

An  
Bord  
Pleanála

**Board Order**  
**ABP-309281-21**

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 20/1098**

**Appeal** by Hilda O'Driscoll care of Declan Noonan and Associates of Upper Main Street, Dingle, County Kerry against the decision made on the 18<sup>th</sup> day of January, 2021 by Kerry County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a two-storey extension to the rear of the existing dwellinghouse. This rear extension will incorporate an existing rear single storey flat roof structure and will also necessitate the addition of a first-floor window serving the existing shower room within the main body of the house, also to include all associated site works, at Ballyferriter, Tralee, County Kerry.

## **Decision**

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 2 and the reason therefor.

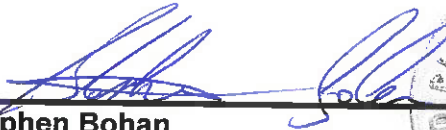
## Reasons and Considerations

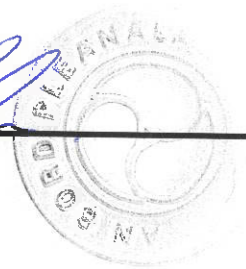
Having regard to the design, scale and height of the proposed extension relative to the existing dwellinghouse, it is considered that the proposed three dormer protrusions would give rise to a negative visual impact and their omission would significantly improve the integration of the proposed development with the main dwellinghouse, and within the site context and landscape setting.

In deciding not to accept the Inspector's recommendation to amend condition number 2 of the planning authority's decision, the Board agreed with the planning authority's reason for omitting the three dormer protrusions.

## Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

  
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**Stephen Bohan**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**



Dated this 12<sup>th</sup> day of May 2021